

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DB STRUCTURED PRODUCTS, INC.,

Plaintiff,

-against-

BALTIMORE AMERICAN MORTGAGE
CORPORATION, INC.,

Defendant.

ECF CASE

07 Civ. 4109 (DLC)

**AFFIDAVIT OF CHRISTOPHER
A. LYNCH IN SUPPORT OF
REQUEST FOR CERTIFICATE
OF DEFAULT**

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Christopher A. Lynch, being duly sworn, deposes and says:

1. I am an attorney admitted to practice in the State of New York and an associate with THACHER PROFFITT & WOOD LLP, attorneys for Plaintiff, DB Structured Products, Inc. ("Plaintiff") in the above-captioned matter.

2. I submit this affidavit in support of Plaintiff's application for a Default Judgment against Baltimore American Mortgage Corporation, Inc. ("Defendant").

3. On May 25, 2007 the above-captioned action ("Action") was commenced with the filing of the Complaint.

4. On June 5, 2007, a copy of the (i) Complaint; (ii) Summons; (iii) Explanation of Relatedness; (iv) Statement Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure; (v) Civil Cover Sheet; (vi) Individual Practices of Judge Denise Cote; (vii) Individual Rules of Practice of Judge Kevin Nathaniel Fox; (viii) 3rd Amended Instructions For Filing An Electronic Case or Appeal; (ix) Procedures for Electronic Case Filing; and (x) Guidelines for Electronic

Case Filing were properly served on Defendant's registered agent, Donald J. Ordakowski, Jr., 7484 Candlewood Road, Hanover, Maryland, Suite BJ. Proof of such service was filed with the Clerk on June 20, 2007.

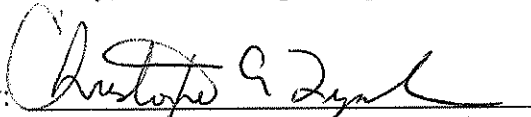
5. On July 16, 2007, Defendant filed its Answer to the Complaint.

6. On March 13, 2008, Warren Wynshaw, Esq., counsel for the Defendant, filed with the Court a Notice of Motion to be Relieved as Counsel (the "Motion to Be Relieved").

7. By order dated March 19, 2008, the Court granted the Motion to Be Relieved. The Court further ordered that "an attorney must file a notice of appearance for defendant Baltimore American Mortgage Corporation, Inc. on or before April 7, 2008. If no attorney files a notice of attorney on behalf of the defendant by that date, judgment against them may be entered by default."

8. No attorney has filed an appearance in this case on behalf of Defendant and the time within which counsel must file a notice of appearance has now expired and has not been extended.

9. Defendant is not an infant, in the military, or an incompetent person.

By: 
CHRISTOPHER A. LYNCH

Sworn to before me this
9th day of April 2008


Notary Public

JONATHAN E. WILSON
Notary Public, State of New York
No. 01WI6091214
Qualified in Bronx County
Certificate Filed in New York County
Commission Expires April 28, 2011